

SENATE BILL 3305
By Haynes

AN ACT to amend Tennessee Code Annotated, Section
67-6-103, relative to sales and use taxes.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Section 67-6-103, is amended by adding the following language as a new subsection thereto:

(j)

(1) Notwithstanding the allocations provided for in subsection (a), there shall be apportioned and distributed to any county in which there is presently property and a dwelling that once served as a domicile for a former president of the United States, an amount equal to the amount of state and local sales taxes derived from sales occurring within such property. Such amount distributed to a county shall be exclusively for the maintenance, development and use of such properties, to the same extent that such county may pledge any revenues of the county.

(2)

(A) Notwithstanding any provision of this subsection to the contrary, no portion of the revenue derived from the increase in the rate of sales and use tax allocated to educational purposes pursuant to Section 9, Chapter 529 of the Public Acts of 1992, and no portion of the revenue derived from the increase in the rate of sales and use tax from six percent (6%) to seven percent (7%) pursuant to Section 4, Chapter 856 of the Public Acts of 2002, shall be apportioned and distributed pursuant to this subsection. All such revenue shall continue to be allocated as provided in Chapter 529 of the Public Acts 1992 and Chapter 856 of the Public Acts of 2002.

(B) Notwithstanding any provision of this subsection to the contrary, prior to any annual distribution pursuant to subdivision (1), an amount equal to the state sales and use taxes collected within such area in fiscal year 2005-2006 shall be deposited in the treasury and allocated as otherwise provided by law.

SECTION 2. This act shall become operative only if the estimated costs of software changes necessary to implement the provisions of this act are paid to the department of revenue by Davidson, Greene and Maury counties. Such counties shall each pay one third of such costs. Such payment shall be made prior to any expenditure of funds by the state. The department shall return any unused portion of the estimated cost to Davidson, Greene and Maury counties within thirty (30) days of completion of the software changes necessary to implement the provisions of this act. If the actual cost exceeds the estimated cost, an amount equal to the difference in such costs shall be remitted to the department by Davidson, Greene and Maury counties within thirty (30) days of receiving an itemized invoice of the actual cost from the department.

SECTION 3. This act shall take effect July 1, 2006, the public welfare requiring it.